

EXHIBIT R

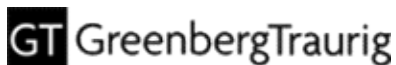
From: newmanar@gtlaw.com
Sent: Thursday, March 25, 2021 5:26 PM
To: Peurach, Alexandra S.
Subject: RE: Bay Point/Hoplite - XXIII Capital

EXTERNAL SENDER

Thank you, Alex. In case you needed further confirmation, these documents are falsified. Even the purported "Loan Agreement" bears no resemblance to the robust and extensive loan documents signed by the parties and dated December 9, 2016.

Ari Newman
Shareholder

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From: Peurach, Alexandra S. <Alexandra.Peurach@troutman.com>
Sent: Thursday, March 25, 2021 5:01 PM
To: Newman, Ari (Shld-Mia-Bky) <newmanar@gtlaw.com>
Subject: RE: Bay Point/Hoplite - XXIII Capital

EXTERNAL TO GT

Hi Ari – Nice speaking with you too. Attached is the underlying Standby Agreement that Bay Point received from Hoplite/Smith.

Alexandra S. Peurach

Partner

troutman pepper

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alexandra.peurach@troutman.com

From: newmanar@gtlaw.com <newmanar@gtlaw.com>
Sent: Thursday, March 25, 2021 2:50 PM
To: Peurach, Alexandra S. <Alexandra.Peurach@troutman.com>
Subject: Bay Point/Hoplite - XXIII Capital

EXTERNAL SENDER

Hi Alex –

It was good speaking with you earlier. Your Verified Amended Complaint makes reference to documents shared with your client purporting to come from XXIII Capital (see, for example, Exhibit P to the Verified Amended Complaint). Would you mind please sending me a copy of any subordination or standby documents purportedly executed by XXIII Capital, including the "Standby XXIII" document alleged to be attached to Exhibit P. Our client is trying to get a handle on the magnitude of the fraud perpetrated on it.

Thank you.

Ari Newman
Shareholder

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